

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
ANSLEM ALEXANDER,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
----- X

REPORT &
RECOMMENDATION
09-CV-2279 (NGG)

GOLD, STEVEN M., U.S.M.J.:

By Order dated May 19, 2011, the Honorable Nicholas G. Garaufis referred plaintiff's motion for attorney's fees to me for a report and recommendation. Plaintiff originally sought fees pursuant to 42 U.S.C. § 406(b)(1) in the amount of \$8,750.25. Docket Entry 14. Plaintiff has since lowered his demand to \$7,600 and defendant has no objection to an award in this amount. Docket Entry 16.

Accordingly, I respectfully recommend that plaintiff be awarded attorney's fees in the amount of \$7,600. Any objections to the recommendations contained in this report must be filed with the Clerk of the Court within fourteen days of this Report and in any event no later than July 5, 2011. Failure to object to this report may waive the right to appeal the district court's order. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72; *Small v. Sec'y of Health & Human Servs.*, 892 F.2d 15, 16 (2d Cir. 1989).

/s/
STEVEN M. GOLD
United States Magistrate Judge

Brooklyn, New York
June 16, 2011

U:\eoc 2011\alexander r&r.docx